

### REMARKS

Claims 1-14 are pending in the application. These claims were rejected under 35 U.S.C. §102 as being anticipated by Swartz, et al. U.S. patent publication no. 2003/0074463.

5 In the OA, the Examiner identified the various components of the independent claims that were read on by the Swartz reference.

In response, Applicant has amended the claims to more precisely point out that the elements of the claims relate to audiological components and aspects of the claims. Furthermore, Applicant has added claims 15 and 16 to  
10 include additional elements more specific to an audiological application.

The Swartz reference discloses a data interface mechanism, but it is described in the field of telecommunication, and therefore its disclosure is not relevant in the field of audiological applications and hearing devices. One of ordinary skill in the art would not turn to the field of telecommunications in  
15 addressing the development of a common interface in an audiological system—furthermore, the newly added claims contain additional elements that cannot be found in the Swartz reference.

For these reasons, the Applicant asserts that the amended claim language clearly distinguishes over the prior art, and respectfully request that the  
20 Examiner withdraw the 35 U.S.C. §102 rejection from the present application.

### CONCLUSION

Inasmuch as each of the objections have been overcome by the amendments, and all of the Examiner's suggestions and requirements have been

satisfied, it is respectfully requested that the present application be reconsidered,  
the rejections be withdrawn and that a timely Notice of Allowance be issued in  
this case.

Respectfully submitted,

 (Reg. No. 45,877)

Mark Bergner  
SCHIFF HARDIN, LLP  
PATENT DEPARTMENT  
6600 Sears Tower  
Chicago, Illinois 60606-6473  
(312) 258-5779  
Attorney for Applicants  
Customer Number 26574

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